

INDIANA LEGISLATURE.

[Omissions and curtailments of this report for want of space in this column will appear in an appendix to Volume XXIII of the *Brevier Legislative Reports*.]

IN SENATE.

SATURDAY, March 14, 1885—10 a. m.

The session was opened with prayer by Rev. Albert Rondthaler, pastor of the Tabernacle Presbyterian Church.

The reading of the Secretary's minutes of yesterday's proceedings was dispensed with.

The Lieutenant Governor called the Senator from Marion (Mr. Winter) to the chair.

Mr. WEIR: I move to take up House bills on the second reading.

The motion was agreed to.

SUNDAY BILL PLACING.

The bill [H. R. 6] to prohibit ball playing on the Sabbath day was read the second time and a favorable committee report thereon concurred in.

EXPERT TESTIMONY.

Mr. FOUKE asked and obtained leave to introduce a bill [S. 354] concerning expert testimony, providing that in all courts except justice, expert witnesses might be called upon to testify, upon deposition of either party to the suit, such witnesses to be selected by the court, and paid for their services whatever sum the court might deem just and proper.

The bill was read the first time and referred to the Committee on the Judiciary.

DISSOLUTION OF CORPORATIONS.

Mr. SMITH, of Delaware, asked and obtained consent to introduce a bill [S. 355] to regulate the dissolution of incorporated towns and school corporations, and prescribing the disposition of the property of such dissolved corporations.

The bill was read the first time and referred to the Committee on County and Township Business.

EXPENSES OF THE INVESTIGATING COMMITTEE.

Mr. MACY, from the special committee thereon, returned the House concurrent resolution to pay certain expenses of the Knightstown Investigating Committee, with amendments reducing the allowance to House Doorkeeper Frye from \$150.77 to \$184, and increasing the aggregate amount allowed by the resolution to witnesses from \$117.62 to \$295.42. He also returned the House concurrent resolution allowing the Bates House \$66 for rent of a room for the use of said investigating committee, with an amendment reducing the same allowed from \$98 to \$42.

Mr. MACY, in relation to this report, I will say that the amendment allows to the Doorkeeper of the House (Mr. Frye) the same mileage allowed sheriffs by law. The Grand Hotel charged for more days than we occupied the room. I move that the amendments be agreed to, and that the report of the committee be concurred in.

Mr. JOHNSTON, of Dearborn: I think this report ought to be concurred in from the fact that they have charged us from the 1st of February for the use of that room, and we did not occupy the room till the 10th as the notes of the Secretary of the committee show, and we abandoned the room on the 22d of February. Including these two days it only makes fourteen days, while the Bates House has us charged with twenty-three days occupancy of that room. I think the report of the committee ought to be concurred in.

The report of the committee was then concurred in.

On motion by Mr. MACY, the resolutions as amended were each adopted by a separate vote.

HOUSE BILLS ON SECOND READING.

The following described House bills were read the second time, and favorable committee reports thereon severally concurred in, excepted where otherwise stated:

The bill [H. R. 130] for an act to legalize the incorporation of the town of Owensville, Gibson County, Indiana.

The bill [H. R. 137] for an act to prohibit the sale of dangerous toys.

Mr. FOWLER: It would seem that there was a difference of sentiment in the committee on this bill; and it would probably not be right to concur in this report until the minority of the committee be heard from. I move that further action be postponed.

The motion was agreed to.

The bill [H. R. 135] to authorize the acceptance of Surety Companies as sureties upon bonds, required by the laws of the State, etc., and to prescribe the rights and liabilities of such companies, etc.

The bill [H. R. 136] for an act to amend Section 240 of an act concerning public offenses and punishment, approved April 14, 1881.

The PRESIDENT pro tem: That exhausts House bills on second reading.

RELIEF OF TRUSTEES.

Mr. WEIR: House bill No. 239 was yesterday referred to the Committee on the Judiciary. In order to expedite matters, I move that the bill be referred to the Judiciary Committee be reconsidered, in order that the bill may be read the second time now.

The motion was agreed to.

Mr. WEIR: I now move that the bill be read the second time and again referred to the Judiciary Committee.

The motion was agreed to.

Accordingly the bill [H. R. 239] for an act authorizing and empowering the Township Trustee of Cold Spring Township, Laporte County, to release judgment against Henry Kiefer and Robert Curran, (\$243 and cost of suit) was read the second time and referred to the Committee on the Judiciary.

CLAIM OF W. H. SCHLATER.

Mr. FOUKE: I would like to take a similar course in relation to the bill introduced by me yesterday in regard to the claim of William H. Schlatter. I move to reconsider the vote by which Senate bill No. 332 was referred to the Committee on Claims, and that the bill be read the second time and referred to the Committee on Claims.

The motion was agreed to.

Accordingly the bill [S. 325] to pay William H. Schlatter, Principal Secretary of the special session of 1881, for making and publishing in the journal of the Senate a list and index thereof of bills and joint resolutions acted upon during the regular and special sessions of 1881, was read the second time and referred to the Committee on Claims.

CONSTITUTIONAL LAWYERS.

Mr. FOUKE: I offer the following resolution:

Resolved, By the Senate—the House of Representatives concurring—that the following amendment is proposed and agreed to the Constitution of Indiana, viz:

To strike from said Constitution Section 21 of Article 7 thereof.

I move that it be referred to the Committee on the Judiciary.

It was so ordered.

JURORS' LOSS BY FIRE.

On motion by Mr. SMITH, of Jay, his bill [S. 331] to authorize Boards of County Commissioners to audit and allow claimants certain cases—losses by fire while serving on a

jury—was read the second time with a committee amendment. He moved that the report of the committee be concurred in.

Mr. FOWLER: I hope that will not be. It seems the entire committee does not concur in that report. I should like to hear from the minority.

Mr. SMITH, of Jay: This is a local bill. Mr. FOWLER: I know it.

Mr. SMITH: A gentleman who was summoned as a juror, and while serving in the jury room, had a fine horse burned in a fiery stable. He supposed his horse was out, and everybody else supposed the horse was out, but the horse was burnt up. This bill is to authorize the Board of Commissioners in any county, under similar circumstances, to audit and allow a claim of this kind. The claim amounts to \$200. I think there is nothing unreasonable in the bill. It was true there was not a full committee when the bill was considered, and the reason was because we could not get a full committee; but all the members of the committee present agreed that the bill should become a law.

Mr. FOWLER: I read this kind of legislation as vicious. While this bill is intended to be local in application, in terms it is not local, for it applies to every county in Indiana. It simply creates each county in the State an insurance company to insure property against loss by fire. It is a bad precedent for a Legislature to set in pressing a bill of this character.

Mr. SMITH, of Jay: Will the Senator have any objections to the committee amendment being acted upon favorably, and let the bill be argued at the time of its passage? I am not interested in the bill at all.

Mr. FOWLER: I understand that, but I don't think any bill ought to be placed in a condition where it can not be amended without a quorum present.

Mr. OVERSTREET: I am aware there is considerable opposition to the bill. I don't see why this should be pushed to a vote on concurring in the report of the committee. For my own part, I know several Senators who are not here who think this is a dangerous piece of legislation. Whether the report could be concurred in with a full Senate is a question I consider doubtful.

Mr. SMITH, of Jay: The report of the committee will not stop an amendment that may be offered to the bill. I desire to advance the bill as far as I can because it is a bill in which there is some merit.

Mr. OVERSTREET: It is generally used as an argument for the passage of a bill that a report favorable to it has been adopted.

The report of the committee was concurred in.

ABSTRACTOR'S BOND.

On motion by Mr. BRYAN, his bill [S. 335] to require abstractors of titles to give bond, was read the third time.

Mr. BELLERS: I move to refer this bill to the Committee on the Judiciary.

Mr. BRYAN: I hope the motion made by the Senator from White (Mr. Sellers) will fail. This is a good bill. It is in the interest of the people. It is a bill requiring abstractors to give bond against mistakes. There are abstractors all over the State making abstracts of titles to lands who are not responsible. They furnish parties abstracts and certify that they are correct, when in fact they are not, thereby causing the loss of money to the parties depending on the correctness of the abstract. Just a short time ago, in one of the counties I represent (Boone), a party lost \$500; and such losses are occurring all over the State. The motion ought to fail, as it will retard the passage of the bill, and it has been passed on favorably by one committee, which should be sufficient.

Mr. BELLERS: I think this bill would have the effect to place the abstract business of the State in the hands of a few men, who will charge a great deal of money for making abstracts. This bill provides that there is to be a civil liability, and it also provides further that the person violating its provisions shall be guilty of a misdemeanor, uniting the civil and the criminal law in one bill. So I think the Judiciary Committee should consider that carefully.

The motion to refer was agreed to.

PRIVATE INSANE ASYLUMS.

Mr. FOUKE introduced a bill [S. 356] to provide that no person shall be confined, as an insane person, in any private asylum in the State, unless such asylum shall have been licensed by the Board of Trustees of the State Hospital for the Insane, and that said board shall visit such asylums at least twice a year, and shall appoint, in each county, a board of three or five visitors, whose duty it shall be to inspect the asylums at frequent intervals. One provision of the bill allows the persons confined in asylums to consult or communicate with any friends or advisers, medical or otherwise, outside, and shall be allowed to write such letters as they desire.

Mr. FOUKE: This bill prescribes the proceedings which shall be taken to declare a person insane before commitment to an insane asylum. I move it be referred to the Judiciary Committee.

It was so referred.

CHINESE IMMIGRATION.

On motion by Mr. Bailey his joint resolution [S. 9] instructing our Senators in Congress to request the Representatives to exercise their influence for the strict enforcement of the laws against Chinese immigration, etc., was read the second time and ordered engrossed for the third reading.

JOHN MARTIN'S CLAIM.

Mr. FOWLER offered the following Senate concurrent resolution:

Resolved, By the Senate, the House of Representatives concurring, that the Committee on the Judiciary, to whom was referred the claim of John Martin for \$50,000, be, and it is hereby, authorized to make a report thereon to the Senate, with evidence in said claim at a compensation of not to exceed \$—per day.

Mr. FOWLER: He made a motion to have the bill to pay this claim referred to the Judiciary Committee, with power to send for persons and papers. It was stated at that time that the evidence taken by the House Committee in this case was either stolen or lost. I presume the Judiciary Committee, in order to understand itself, ought to take evidence, and to do that they should have a stenographer.

Mr. OVERSTREET: If it is expected that this testimony, when taken, is to be left with a committee, I can not see any propriety in having it done. We have been paying some stenographers, and I have never heard or seen any of the testimony they have reported. It is not essential to have testimony written down for the benefit of a committee, because they hear the witnesses. If it is contemplated, when the testimony is taken, that it shall be read as part of the report of the committee, then I do not object.

Mr. SMITH, of Jay, did not think it necessary to relate this testimony, and opposed the resolution.

Mr. FOWLER: I presume the committee would not find it necessary to have all the evidence reported they might hear, but the important part of the evidence ought to be taken down. There are a good many Senators who would like to know what this evidence is. There is a great deal of the evidence which it is necessary to reduce to writing.

Mr. FOUKE: Where a stenographer is employed the result is the testimony is always so bulky that it is never read. A clerk who is a rapid writer can put on paper enough testimony to enable a committee to form a conclusion quite as correct, and it can be taken down so that somebody can read it. We do not employ a shorthand writer in our courts. We can employ rapid writers who take notes more satisfactory than shorthand writers. I think a clerk for \$2 or \$3 a day can probably do as well as a stenographer for this committee.

Mr. FOWLER asked and obtained consent to withdraw his resolution.

And then an adjournment till Monday morning at 10 o'clock.

House of Representatives.

SATURDAY, March 14, 1885—2 p. m.

Mr. BROWNING took the chair and directed the clerk to read a communication from the Speaker.

The clerk (Mr. Emmett Rose) read a letter from Mr. Speaker Jewett, addressed to principal Clerk Darnell, requesting the gentleman from Brown and Moore (Mr. Browning) to preside.

The SPEAKER pro tem, directed the clerk to call the roll, as is the custom of the Speaker.

On motion by Mr. DITTMORE, the calling of the roll was dispensed with—only eight members being present.

On his further motion the reading of the clerk's minutes of Thursday's proceedings was dispensed with.

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THE RECORD.

Showing the Marriages, Births and Deaths During the Past Week.

ALTAR.

Stephen Miller and Letta Griffith. Richard R. Maus and Gabriella L. Master. William Singlet and Jennie Phillips. Clarence Barnum and Mary Melchior. Charles Bogardus and Amanda Eaton. William Euring and Frederick Miller. Thomas Hensley and Alice Creek. William A. Davis and Carrie Taylor.

Oscar B. Bartel and Emma B. Bartel. David D. Molloy and Catherine Warren. George M. Griffith and Emily Schless. George and Louise here who think this is a dangerous piece of legislation. Whether the report could be concurred in with a full Senate is a question I consider doubtful.

Mr. SMITH, of Jay: The report of the committee will not stop an amendment that may be offered to the bill. I desire to advance the bill as far as I can because it is a bill in which there is some merit.

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The SPEAKER pro tem, directed the clerk to call the roll, as is the custom of the Speaker.

On motion by Mr. DITTMORE, the calling of the roll was dispensed with—only eight members being present.

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NO POISON IN THE PASTRY

DR. PRICE'S FLAVORING EXTRACTS ARE USED.

Vanilla, Lemon, Orange, etc. Baker's Cocoa, Cream, Fudgite, etc., are delicately and usually as the fruit from which they are made.

FOR STRENGTH AND TRUE FRUIT FLAVOR THEY STAND ALONE.

Prepared by The Price Baking Powder Co., Chicago, Ill.

Dr. Price's Cream Baking Powder